

Commission on Local Government

Estimate of Local Fiscal Impact

2018 General Assembly Session

Bill: HB484

Patron: Bell

Date: 1/29/2018

In accordance with the provisions of §30-19.03 of the Code of Virginia, the staff of the Commission on Local Government offers the following analysis of the above-referenced legislation:

Bill Summary:

Provides that for any offense that occurs on or after July 1, 2018, if restitution is ordered at the time of sentencing, the court shall place the defendant on an indefinite term of probation until all ordered restitution is paid in full. The bill requires that a probation agency ordered to monitor the restitution payments of a defendant placed on supervised probation notify the court and the attorney for the Commonwealth of the amount of unsatisfied restitution, if any, 30 days prior to the defendant's release from supervision. The bill also requires that a court schedule a hearing within 90 days of the date restitution was to be paid in full if any restitution remains unsatisfied and no probation agency was ordered to monitor the defendant's payments. The bill also establishes a mechanism for releasing a defendant from an indefinite term of probation even though all ordered restitution has not been paid in full.

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**Executive Summary:**

Localities have evaluated a negative fiscal impact ranging from \$1.00 - \$120,000.00. Localities indicated that the bill would have significant fiscal impact due to the expansion of probationary caseloads, and requiring additional staff. Localities also noted that the bill would require them to track indefinitely offenders ordered to pay restitution who have no ability to pay, and those on misdemeanor probation.

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**Local Analysis:**

**Locality:** County of Henrico

**Estimated Fiscal Impact:** \$120,000.00

The Community Corrections program could receive 300 cases per year from this bill, and with the indefinite supervision period these cases could require a significant amount of time and resources. There would be a need to hire 2 additional Probation Officers. Salaries and benefits of these 2 additional personnel can be estimated at \$120,000.

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Locality: Fairfax County

Estimated Fiscal Impact: \$1.00

The bill is likely to have a potentially significant fiscal impact due to the expansion of probationary caseloads. It may require additional Probation Officers to indefinitely track offenders ordered to pay restitution who have no ability to pay. The bill has the potential to significantly increase the number of offenders supervised indefinitely on misdemeanor probation.

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